

### **REMARKS**

These remarks are in response to the Restriction Requirement mailed June 16, 2006. No new matter has been introduced by the filing of this paper.

#### **Election Requirement**

The Examiner has alleged that there are four separate and distinct invention as follows:

I. Claims 14-27, drawn to a method of screening a compound for biological activity, toxicity using a nanoporous silicon support, classified in class 435, subclass 32.

II. Claim 28, drawn to a method for analysis of metabolism of a compound using a nanoporous silicon support, classified in class 435, subclass 29..

III. Claim 29, drawn to a method of protein production using a nanoporous silicon support, classified in class 435, subclass 70.1.

IV. Claim 30, drawn to a method of hepatic support using a nanoporous silicon support, classified in class 435, subclass 2.

#### **Election**

To be fully responsive, Applicants elect the invention of Group I, claims 14-27, drawn to a method of screening a compound for biological activity, toxicity using a nanoporous silicon support, classified in class 435, subclass 32. This election is made with traverse.

#### **Traverse**

Applicants respectfully traverse the restriction of Group I and II. Applicants submit that the claims of Group I and II fall within the same Class. Furthermore, that screening for "biological activity" (as set forth in Group I) encompasses "metabolism" as set forth in Group II. Thus, Applicants submit that searching both Group I and II would not burden the Examiner. In addition, the restriction of Group I and II into separate applications would result in potential error in the citation of references by the Examiner, search results and the like, as the subject matter overlaps. Accordingly,

Applicants respectfully request joinder of Group I and II claims in the present application.

No fee is believed to be due with respect to the filing of this paper, however, should any required fee be due the Commissioner is authorized to charge Deposit Account No. 02-4800, or credit any overpayment.

The Examiner is invited to call the undersigned at 858.509.7300 should any additional issue remain regarding this response.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY

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By. 

Joseph R. Baker, Jr.  
Registration No. 40,900

Buchanan Ingersoll & Rooney LLP  
P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(858) 509-7300